

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION  
INJURY LITIGATION**

**No. 12-md-2323 (AB)**

**MDL No. 2323**

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**THIS DOCUMENT RELATES TO:**

Plaintiffs' Master Administrative Long-  
Form Complaint and (if applicable)

**Maurice Aikens, et al.**  
v. National Football League [et al.],  
No. **2:12-cv-05476-AB**

**AS TO AUDRAY McMILLIAN**

**NOTICE OF WITHDRAWAL**

**IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION**

**JURY TRIAL DEMANDED**

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**NOTICE OF WITHDRAWAL OF PLAINTIFF AUDRAY MCMILLIAN  
FROM THE SHORT FORM COMPLAINT**

Plaintiff, Audray McMillian hereby withdraws from the Short-Form Complaint of Audray McMillian in this lawsuit without prejudice, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, because it was filed in error.

The complaint of Audray McMillian was filed on August 28, 2012 as *Maurice Aikens, et al., vs. NFL*, USDC, SDMS, No. 3:12-cv00610-CWR-FKB. Consistent with the Court's Orders, Audray McMillian's Short Form Complaint was filed on October 9, 2012: (a) as document number 3944 in the case captioned *In Re: National Football League Players' Concussion Injury Litigation*, No. 2:12-md-2323-AB and (b) as document number 40 in *Maurice Aikens, et al. v. NFL*, USDC, EDPA, No. 12-cv-05476-AB. Both filings were served on the Defendants.

This Notice withdraws Audray McMillian from the Short Form Complaint that was filed in both dockets as referenced above.

This the 13<sup>th</sup> day of May, 2013.

Respectfully Submitted,

PHILLIP W. THOMAS LAW FIRM

By:

/s/ Philip W. Thomas

PHILIP W. THOMAS

MS Bar No. 9667

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**CERTIFICATE OF SERVICE**

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I certify that I electronically filed the foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record.

This the 13<sup>th</sup> day of May, 2013.

/s/ Philip W. Thomas  
PHILIP W. THOMAS